

©
കേരള സർക്കാർ
Government of Kerala
2018



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI

Reg. No. KL/TV(N)/634/2018-20

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണ
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 7	തിരുവനന്തപുരം,	2018 സെപ്റ്റംബർ 28	
	വെള്ളി	28th September 2018	
Vol. VII	Thiruvananthapuram,	1194 കന്നി 12	നമ്പർ
	Friday	12th Kanni 1194	
		1940 ആശ്വിനം 6	No. } 2472
		6th Aswina 1940	

GOVERNMENT OF KERALA

Consumer Affairs Department

NOTIFICATION

G. O. (P) No. 12/2018/CAD.

Dated, Thiruvananthapuram, 26th September, 2018
10th Kanni, 1194.

S. R. O. No. 683/2018.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968, (19 of 1968) and in supersession of the Kerala Legal Metrology Service Special Rules, 2013, issued under G. O. (P) No.1/2013/CAD, dated 29th January, 2013 and published as S. R. O. No. 67/2013 in the Kerala Gazette Extraordinary No. 257 dated 31st January, 2013 and any orders

PRINTED AND PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSES
AT THE GOVERNMENT CENTRAL PRESS, THIRUVANANTHAPURAM, 2018.

33/3660/2018/S-16.

on the subject and in conformity with sub-clause (h) of sub-section (2) of section 52 of the Legal Metrology Act, 2009 (Central Act 1 of 2010) read with rule 28 of the Legal Metrology (General) Rules, 2011, the Government of Kerala hereby make the following Special Rules for the Kerala Legal Metrology State Service, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Legal Metrology State Service Special Rules, 2018.

(2) Save as otherwise provided in these rules, they shall be deemed to have come into force on the 1st day of April, 2011.

2. *Constitution.*—The service shall consist of the following categories of officers, namely:—

Category 1	Controller of Legal Metrology
Category 2	Joint Controller of Legal Metrology
Category 3	Deputy Controller of Legal Metrology
Category 4	Assistant Controller of Legal Metrology
Category 5	Senior Inspector of Legal Metrology

3. *Appointment.*—Appointment to various categories specified in column (1) of Table below shall be made by the method of appointment specified in the corresponding category in column (2), thereof.

TABLE

Category (1)	Method of Appointment (2)
1. Controller of Legal Metrology	Appointment from All India service or By promotion from Category 2
2. Joint Controller of Legal Metrology	By promotion from Category 3

(1)	(2)
3. Deputy Controller of Legal Metrology	By promotion from Category 4
4. Assistant Controller of Legal Metrology	By promotion from Category 5
5. Senior Inspector of Legal Metrology	By transfer from qualified Inspector of Legal Metrology from the Kerala Legal Metrology Subordinate Service.

Note.—Promotion and appointment by transfer to categories 1, 2, 3, 4 and 5 shall be made from the select list prepared by the Department from among eligible officers in the Department on the basis of merit and ability. Seniority being considered only where merit and ability are approximately equal. Persons included in the select list shall be ranked in the order of their seniority.

4. *Qualifications.*—No person shall be eligible for appointment to the categories specified in column (1) of Table below by the method of appointment specified in column (2), unless he possesses the qualifications specified in the corresponding entries in column (3) thereof.

TABLE

Category (1)	Method of Appointment (2)	Qualifications (3)
1. Controller of Legal Metrology	(1) Appointment from all India service (2) By promotion from Category 2	All India Service (1) Graduation in Science with Physics as one of the subjects conferred/recognized by any of The Universities in Kerala or B. Tech. awarded/recognized by any of the Universities in Kerala. or

(1)	(2)	(3)
		Diploma in Engineering after undergoing a regular course of study of three years with three years professional experience in Central or State Government Service or in Public Sector Undertaking or Registered Private Sector Undertaking after acquiring the basic qualification prescribed for the post, in the field of Engineering in which the candidate has earned the Diploma.
		(2) Must be able to speak, read and write Malayalam.
2. Joint Controller of Legal Metrology	By promotion from Category 3	(1) Graduation in Science with Physics as one of the subjects conferred/recognized by any of The Universities in Kerala or B. Tech. awarded/recognized by any of the Universities in Kerala. or Diploma in Engineering after Undergoing a regular course of study of three years with three years professional experience in Central or State Government service or in Public Sector Undertaking or Registered Private Sector Undertaking after acquiring the basic qualification prescribed for the post, in the field of Engineering in which the candidate has earned the Diploma. (2) Must be able to speak, read and write Malayalam.

(1)	(2)	(3)
3. Deputy Controller of Legal Metrology	By promotion from Category 4	(1) Graduation in Science with Physics as one of the subjects conferred/recognized by any of The Universities in Kerala or B. Tech. awarded/recognized by any of the Universities in Kerala. or Diploma in Engineering after Undergoing a regular course of study of three years with three years professional experience in Central or State Government service or in Public Sector Undertaking or Registered Private Sector Undertaking after acquiring the basic qualification prescribed for the post, in the field of Engineering in which the candidate has earned the Diploma. (2) Must be able to speak, read and write Malayalam.
4. Assistant Controller of Legal Metrology	By promotion from Category 5	(1) Graduation in Science with Physics as one of the subjects conferred/recognized by any of The Universities in Kerala or B. Tech. awarded/recognized by any of the Universities in Kerala. or

(1)	(2)	(3)
5. Senior Inspector of Legal Metrology	By transfer from qualified Inspectors of Legal Metrology from the Kerala legal Metrology Subordinate Service.	Diploma in Engineering after Undergoing a regular course of study of three years with three years professional experience in Central or State Government service or in Public Sector Undertaking or Registered Private Sector Undertaking after acquiring the basic qualification prescribed for the post, in the field of Engineering in which the candidate has earned the Diploma.
		(2) Must be able to speak, read and write Malayalam.
		(1) Graduation in Science with Physics as one of the subjects conferred/recognized by any of The Universities in Kerala or
		B. Tech. awarded/recognized by any of the Universities in Kerala.
		or Diploma in Engineering after Undergoing a regular course of study of three years with three years professional experience in Central or State Government service or in Public Sector Undertaking or Registered Private Sector Undertaking after acquiring the basic qualification prescribed for the post, in the field of Engineering in which the candidate has earned the Diploma.
		(2) Must be able to speak, read and write Malayalam.

Note.—(1) Nothing in respect of qualifications stated above shall apply to persons who have been working in Legal Metrology Department under the above category and eligible for promotion and by transfer appointment to the next higher grade on the date of commencement of these Rules.

(2) Experience in the Department of Legal Metrology shall be considered as equivalent to professional experience for the purpose of this rule.

5. *Qualification regarding age.*—No person shall be eligible for appointment by direct recruitment if he has not completed eighteen years of age or has completed thirty six years of age on the first day of January of the year in which applications for appointment are invited, with usual relaxation of age to the Scheduled Castes/Scheduled Tribes and other Backward Classes candidates.

6. *Appointing authority.*—The appointing authority in respect of categories 1 to 4 shall be the Government and that for Category 5 shall be Controller of Legal Metrology.

7. *Reservation of appointment.*—The rules relating to reservation of appointment contained in the rules 14 to 17 of Part II of the Kerala State and Subordinate Service Rules, 1958 shall apply to all appointments by direct recruitment.

8. *Probation.*—Every person appointed to any of the category shall, from the date on which he joins duty, be on probation:—

(i) If appointed by direct recruitment or by transfer, for a total period of two years on duty within a continuous period of three years; and

(ii) If appointed by promotion, for a total period of six months on duty within a period of one year.

9. *Uniform.*—Officers under category 4 and 5 shall wear such uniform as specified in the Kerala Legal Metrology (Enforcement) Rules, 2012.

10. *Training.*—Every person appointed to the categories 4 and 5 shall have to successfully complete the basic training course as specified in the Legal Metrology Act, 2009 (Central Act 1 of 2010) or any rule made thereunder, if he had not undergone that training previously:

Provided that, nothing in this rule shall apply to the persons who attain the age of fifty.

11. *Test.*—Every person appointed to any of the categories 2 to 5 shall pass:—

- (i) Account Test (Lower) or (Higher);
- (ii) Manual of Office Procedure; and
- (iii) A test on the Legal Metrology Act, 2009 and Rules, within the period of probation, if not passed previously:—

Provided that nothing in clause (iii) above shall apply to persons who have passed a test on the Standards of Weights and Measures Act, 1976 (Central Act 60 of 1976) and the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985) and Rules made thereunder.

By order of the Governor,

MINI ANTONY,
Secretary to Government,

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per section 57 of the Legal Metrology Act, 2009 (Central Act 1 of 2010), the Standards of Weights and Measures Act, 1976 (Central Act 60 of 1976) and the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985) were repealed. As per rule 28 of the Legal Metrology (General) Rules, 2011 issued under Legal Metrology Act, 2009, the qualification of Legal Metrology Officers has been prescribed.

The Subject Committee-XI, in its meeting held on 9th June, 2014 has recommended to cancel the Kerala Legal Metrology State Service Special Rules, 2013 issued by notification under G. O. (P) No. 1/2013/CAD, dated 29th January, 2013 and published as S. R. O. No. 67/2013 in the Kerala Gazette Extraordinary No. 257 dated 31st January, 2013 since the same was not in conformity with the provisions of the Legal Metrology Act, 2009 (Central Act 1 of 2010) and the Legal Metrology (General) Rules, 2011 made thereunder. The Subordinate Legislation Committee (2014-16) in its meeting held on 30th April 2014 has also recommended to cancel the above rules.

Hence, Government have decided to frame the Kerala Legal Metrology State Service Rules under sub-section (1) of section 2 of the Kerala Public Services Act, 1968 in supersession of the rule issued under G. O. (P) No. 1/2013/CAD, dated 29th January, 2013 and published as S. R. O. No. 67/2013 in the Kerala Gazette Extraordinary No. 257 dated 31st January, 2013 in conformity with the Legal Metrology Act, 2009 (Central Act 1 of 2010) and the Legal Metrology (General) Rules, 2011 made thereunder.

The notification is intended to achieve the above object.